

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUN 10 1997
 Returned to applicant for correction JUN 17 1997
 Corrected application filed JUN 19 1997
 Map filed JUN 11 1997 under 62977

The applicant Oro Nevada Mining Company, Inc., hereby makes application for permission to change the Point of Diversion and Place of Use of a portion of water heretofore appropriated under Permit 13427, Certificate 4224

1. The source of water is Underground
2. The amount of water to be changed 1.56 c.f.s., 1264.74 acre-feet
3. The water to be used for Irrigation
4. The water heretofore permitted for Irrigation
5. The water is to be diverted at the following point SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, T.28N., R.48E., MDM, or at a point from which the SE corner of said Section 17 bears South 72° 39' 30" East, 3091 feet
6. The existing permitted point of diversion is located within SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17, T.28N., R.48E., MDM, or at a point from which the W $\frac{1}{4}$ corner of Section 8, T.28N., R.48E., MDM bears North 19° 16' 30" West, 4313.5 feet
7. Proposed place of use 316.1 acres within the SW $\frac{1}{4}$ Section 9, the NW $\frac{1}{4}$ Section 16 and the S $\frac{1}{2}$ Section 17, T.28N., R.48E., MDM - The 93.9 acres that were supplemental under base rights Permits 13241 and 13427 are to be located within the SW $\frac{1}{4}$ of said Section 17
8. Existing place of use NW $\frac{1}{4}$ NE $\frac{1}{4}$ (3.8 ac), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (19.7 ac), NW $\frac{1}{4}$ NW $\frac{1}{4}$ (23.5 ac), SW $\frac{1}{4}$ NW $\frac{1}{4}$ (40 ac), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (25.5 ac) Section 16; NE $\frac{1}{4}$ NE $\frac{1}{4}$ (27.6 ac), NW $\frac{1}{4}$ NE $\frac{1}{4}$ (31.6 ac), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (12.2 ac), SW $\frac{1}{4}$ NW $\frac{1}{4}$ (9.5 ac), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (39.5 ac), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (40 ac), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (40 ac), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (40 ac), NW $\frac{1}{4}$ SE $\frac{1}{4}$ (40 ac), SW $\frac{1}{4}$ SE $\frac{1}{4}$ (32.3 ac) SE $\frac{1}{4}$ SE $\frac{1}{4}$ (37.7 ac), NE $\frac{1}{4}$ SW $\frac{1}{4}$ (40 ac), NW $\frac{1}{4}$ SW $\frac{1}{4}$ (32.7 ac), SW $\frac{1}{4}$ SW $\frac{1}{4}$ (7.3 ac), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (23.2 ac) Section 17; T.28N., R.48E., MDM 112.5 ac in Section 16; 59.2 ac in N $\frac{1}{2}$ NE $\frac{1}{4}$, 50.5 ac in S $\frac{1}{2}$ NE $\frac{1}{4}$, 61.2 ac in NW $\frac{1}{4}$, and 32.7 ac in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17 to be removed from the existing place of use for this application.
9. Use will be from April 1 to November 1 of each year.
10. Use was permitted from April 1 to November 1 of each year.
11. Description of proposed works drilled well, pump and motor and irrigation distribution system
12. Estimated cost of works works completed
13. Estimated time required to construct works 1 year
14. Estimated time required to complete the application of water to beneficial use 3 years

63168

15. Remarks:

By Bruce R. Scott,
Resource Concepts, Inc.
s/Bruce R. Scott
340 North Minnesota Street
Carson City, Nevada 89703

Compared my/cms dl/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 13427, Certificate 4224, is issued subject to the terms and conditions imposed in said Permit 13427, Certificate 4224, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 62977, 62978, 63168, and 63169 shall not exceed 2,415.48 acre-feet, and is limited to the irrigation of 779.12 acres.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.56 cubic feet per second, and not to exceed a seasonal duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

July 16, 1999

Proof of completion of work shall be filed before:

August 16, 1999

Application of water to beneficial use shall be filed on or before:

July 16, 2001

Proof of the application of water to beneficial use shall be filed on or before:

August 16, 2001

Map in support of proof of beneficial use shall be filed on or before:

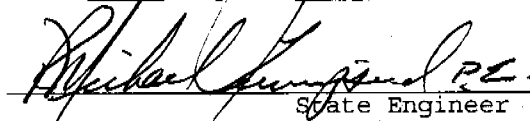
August 16, 2001

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 16th day of July, A.D. 1998


State Engineer

Completion of work filed NOV 16 1999

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Abrogated By: 66219-T 1.56 Ep 7/2/01
66223 1.56